

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: EISENBACH4A

In re Application of:)	Conf. No.:
Lea EISENBACH et al.)	
)	
IA No: PCT/US03/023503)	Art Unit:
)	
IA Filed: July 28, 2003)	Examiner:
)	
Appln. No.: Not yet assigned)	Washington, D.C.
)	
)	February 16, 2005
For: TUMOR ASSOCIATED ANTIGEN,)	
PEPTIDES THEREOF, AND USE...)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[X] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[] B. before the mailing date of a first office action on the merits or before the mailing of a first Office

action after the filing of a Request for Continued Examination under 37 CFR \$1.114; or

☒ 2. In accordance with 37 CFR \$1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR \$1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

☐ A. Document(s) _____ is/are deemed substantially cumulative to document(s) _____, and, in accordance with 37 CFR \$1.98(c), a copy of each of the former document(s) is not enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b (or their BN form equivalents) from the files of the prior application(s) or a fresh BN/SB/08A and/or BN/SB/08B listing these documents, and request that they be considered and made of record in accordance with 37 CFR \$1.98(d). Per 37 CFR \$1.98(d), copies of these documents need not be filed in this application.

☐ 3. Document(s) _____ is/are not in the English language. In accordance with 37 CFR \$1.98(a)(3), Applicant states:

☐ An English translation of each document _____ (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.

- ☐ For documents _____, a corresponding English-language patent or published application is included on the accompanying Form BN/SB/08A, with a line drawn in the margin connecting the non-English-language document with its corresponding English-language document.
- ☐ A concise explanation of the relevance of document(s) _____ is found in the attached _____ search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).
- ☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:
- ☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- ☐ A concise explanation of the relevance of document(s) _____ can be found on the attached sheet.

☒ 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ 5. Other information being provided for the examiner's consideration follows:

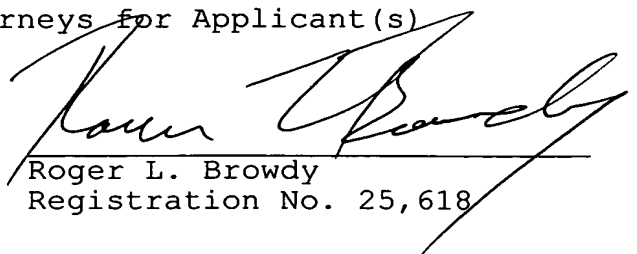
6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the

face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	Not yet assigned
Filing Date	February 16, 2005
First Named Inventor	Lea EISENBACH
Group Art Unit	
Examiner Name	
Attorney Docket Number	EISENBACH4A

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Number Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

Examiner
Signature

Date
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

DT12 Rec'd PCT/PTO 16 FEB 2005

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2

EISENBACH4A

2

Complete if Known

Application Number	Not yet assigned
Filing Date	February 16, 2005
First Named Inventor	Lea EISENBACH
Group Art Unit	
Examiner Name	
Attorney Docket Number	EISENBACH4A

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AA	BEHR, Thomas M., "Radioimmunotherapy of Small-Volume Disease of Metastatic Colorectal Cancer: Results of a Phase II Trial with the Iodine-131-Labeled Humanized Anti-Carcinoembryonic Antigen Antibody hMN-14", Cancer (2002), Vol. 94, No. 4, pp. 1373-1381	
	AB	CHAMES, Patrick, "Direct selection of a human antibody fragment directed against the tumor T-cell epitope HLA-A1-MAGE-A1 from a nonimmunized phage-Fab library", PNAS (2000) 97:14, pp. 7969-7974	
	AC	FISHMAN, Prina et al., "Autoantibodies to Tyrosinase: The Bridge between Melanoma and Vitiligo", Cancer (1997), Vol. 79, No. 8, pp. 1461-1464	
	AD	GOVORKO, Dimitri et al., "Single-chain antibody against the common epitope of mutant p53: isolation and intracytosolic expression in mammalian cells", Journal of Immunological Methods (2001), Vol. 258, pp. 169-181	
	AE	HUANG, Sharon K.S., "Antibody Responses to Melanoma/Melanocyte Autoantigens in Melanoma Patients", (1998), Vol. III, No. 4, The Journal of Investigative Dermatology, Inc., pp. 662-667	
	AF	JAGER, Elke et al., "Humoral Immune Responses of Cancer Patients Against Cancer-Testis" Antigen NY-ESO-1: Correlation with Clinical Events", (1999) 84, Int. J. Cancer (Pred. Oncol.), pp. 506-510	
	AG	LEV, A. et al., "Isolation and Characterization of Human Recombinant Antibodies Endowed with the Antigen-specific, Major Histocompatibility Complex-restricted Specificity of T Cells Directed toward the Widely Expressed Tumor T-cell Epitopes of the Telomerase Catalytic Subunit", (2002), Cancer Research, vol. 62, pp. 3184-3194	
	AH	MOASE, E.H. et al., "Anti-MUC-1 immunoliposomal doxorubicin in the treatment of murine models of metastatic breast cancer", (2001), Biochimica et Biophysica Acta 1510, pp. 43-55	
	AI	NIETHAMMER, Andreas G. et al., "An oral DNA vaccine against human carcinoembryonic antigen (CEA) prevents growth and dissemination of Lewis lung carcinoma in CEA transgenic mice", (2002), Vaccine 20, pp. 421-429	
	AJ	OKAMOTO, Tetsuro et al., "Anti-Tyrosinase-Related Protein-2 Immune Response in Vitiligo patients and Melanoma Patients Receiving Active-Specific Immunotherapy", (1998), The Journal of Investigative Dermatology, Inc., pp. 1034-1039	
	AK	PARKER, Kenneth C., "Scheme for Ranking Potential HLA-A2 Binding Peptides Based on Independent Binding of Individual Peptide Side-Chains", (1994), Journal of Immunology, pp. 163-175	
	AL	REDDISH, Mark A., "Anti-MUC1 Class I Restricted CTLs In Metastatic Breast Cancer Patients Immunized with a Synthetic Muc1 Peptide", (1998), vol. 76, Int. J. Cancer, pp. 817-823	
	AM	ULLENHAG, Gustav J. et al., "Induction of IgG Subclass Responses in Colorectal Carcinoma Patients Vaccinated with Recombinant Carcinoembryonic Antigen", (2002), Cancer Research, Vol. 62, pp. 1364-1369	
	AN	YIP, Yum L., "Anti-ErbB-2 monoclonal antibodies and ErbB-2-directed vaccines", (2002), Vol. 50, Cancer Immunol Immunother, pp. 569-587	

Examiner
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.